

# STONINGTON HARBOR MANAGEMENT Ordinances

TO BE ADOPTED AS TOWN ORDINANCES

*Draft*

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Stonington Harbor Management Commission

**XXXX**, 2020

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# **I The Ordinance**

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## **Article 1: General Provisions**

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### **SECTION 1 TITLE**

This Ordinance shall be known as the Stonington Harbor Management Ordinance.

### **SECTION 2 SHMC JURISDICTIONS**

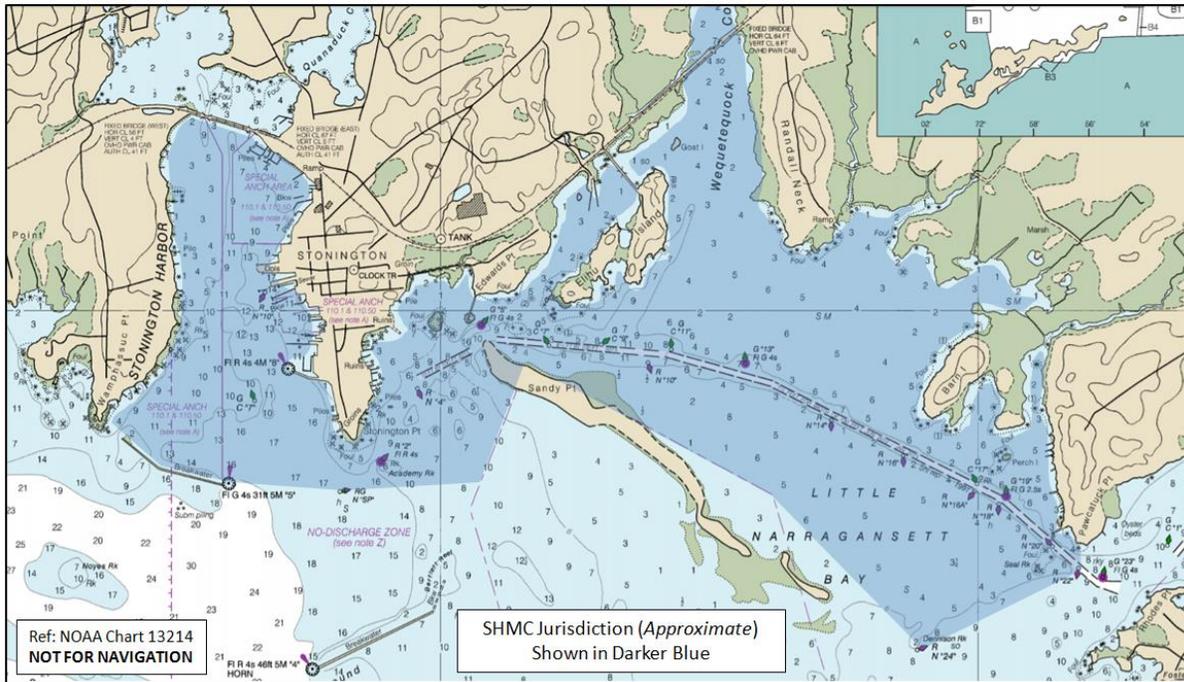
Unless otherwise provided, each provision of this Ordinance shall apply to:

**A.** All waters lying east of Wamphassuc Point, south of the Conrail (AMTRAK) railroad embankment and the shoreline eastward to the Borough of Stonington, west of the western shoreline of the Borough of Stonington and north of the westerly breakwater and of a line between its eastern end and the red and green nun buoy RG N “SP” lying south of Stonington Point, which waters are herein defined as “Stonington Harbor;” and to:

**B.** All waters lying east of the eastern shoreline of the Borough of Stonington and north of a line running from the aforesaid red and green nun buoy RG N “SP” easterly to the Connecticut-Rhode Island border, thence following the state border north-easterly, thence south-easterly and south-south-easterly to red nun buoy RN “24” (Dennison Rock); thence north-easterly to red nun buoy RN”22”; thence northerly to the southernmost tip of Pawcatuck Point and to encompass all aforementioned waters, which includes Wequetequock Cove and portions of Little Narragansett Bay.

### **SECTION 3 AREA CHART**

Figure I below shows the waters to which this Ordinance applies.



**Figure I - SHMC Jurisdiction**

**SECTION 4 INVALIDITY OF PROVISIONS**

Should any provision or provisions of this Ordinance be held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been determined.

**SECTION 5 HARBOR MANAGEMENT FUND**

In accordance with Sections 22a-113l and 22a-113s of the Connecticut General Statutes, a Stonington Harbor Management Fund is hereby established to provide for the costs of administering the Stonington Harbor Management Plan.

Within the limits of Connecticut State Statute, the Stonington Harbor Management Commission (the "Commission") shall propose fee schedules for a mooring or anchorage, fines levied under the provisions of this ordinance or any other activity within the scope of this Ordinance.

The Harbor Master or Deputy Harbor Master shall collect all mooring related fees and deposit them into the harbor management account maintained by the Town of Stonington and administered by the Harbor Management Commission. Fines collected under this ordinance shall be collected by the Town of Stonington. The harbor management account shall be used for the maintenance, safety and improvement for the public of the waters under the jurisdiction of the Harbor Management Commission and for expenses for personnel, equipment, and services directly related to the function of the Harbor Management Commission or the Harbor Master or the Deputy Harbor Master. All expenditures shall require the approval of the Harbor Management Commission with payment orders to be signed by a Selectman and the Town Treasurer.

No member of the Harbor Management Commission shall receive compensation from the Fund for services, but may be reimbursed for any necessary expense. No Town or Borough tax revenues shall be used in administering this Plan.

## **Article 2: Safety and Traffic Control**

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### **SECTION 1 DEFECTIVE OR DANGEROUS CONDITIONS**

In accordance with CT General Statute 15-11a, whenever any vessel within the jurisdiction is found by a duly authorized harbor master to be defective or damaged so as to be unsafe or dangerous to persons or property, the environment, or safe navigation, it shall be rendered safe or no longer dangerous by the owner within twenty-four hours of the affixing of a visible notification sticker or it will be removed under the direction of the duly authorized harbor master or a duly authorized representative of the municipality and stored in a suitable place. Disposal of the vessel by the Commission shall be pursuant to CT General Statutes 15-11a (f).

### **SECTION 2 TRAFFIC CONTROL AUTHORITY AND VESSEL SPEED**

The Harbor Master shall have all authority as provided under the laws of the State of Connecticut with particular reference to Connecticut General Statutes Chapter 268 Section 15-154 and Chapter 263 Section 15-1 et seq. The Harbor Master may control waterborne traffic in any portion of the waters of a harbor or marine facility under his jurisdiction by use of authorized State regulatory markers, signals, orders, or directions any time preceding, during, and after any race, regatta, parade, or other special event held in any portion of the waters of a harbor or marine facility within the SHMC jurisdiction or at any time when the Harbor Master deems it necessary in conformity with State and Federal statutes and regulations in the interest of safety of persons and vessels or other property. The operation of any vessel within the harbor or adjacent SHMC jurisdiction area shall not violate the provisions of CGS Sections 15-140k through 15-140n which addresses reckless operation and operation of a vessel while under the influence of intoxicating liquor and drugs.

The Slow No Wake (SNW) Ordinance in Stonington Harbor is provided in Annex A

The Slow No Wake (SNW) Ordinance at Sandy Point is provided in Annex B

## **Article 3: Harbor Use Regulations**

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### **SECTION 1 ENFORCEMENT AUTHORITY**

The Stonington Harbor Master, Deputy Harbor Master and Stonington Police Department (SPD) shall enforce the provisions of this Ordinance. The Harbor Master or Deputy Harbor Master shall

document any alleged violators of ANNEX A: SLOW NO WAKE ORDINANCE IN STONINGTON HARBOR and ANNEX B: SLOW NO WAKE ORDINANCE AT SANDY POINT and provide supporting documentation to the Stonington Police Department for follow up. All uniformed officers of the Stonington Police Department shall have the authority to enforce the provisions of this Ordinance.

## **SECTION 2 PENALTIES**

Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine in accordance with Connecticut General Statutes.

Any violation of this ordinance shall be a municipal infraction and is punishable by a fine not to exceed \$100.00 and shall be imposed for each violation thereunder as provided under Connecticut General Statutes Section 7-148. Each day of violation shall be considered a separate offense and subject to separate citations. A fine not to exceed \$100.00 shall be imposed for each offense. Nothing in this section shall preclude the imposition of a greater penalty as provided for under Federal statutes or the laws of the State of Connecticut or for prosecution for violations of any other relevant Federal State or local statute law or regulation.

## **SECTION 3 LIABILITY**

Any person using Stonington jurisdictional waters or its maritime facilities shall assume all risk of personal injury or loss of life and all risk of damage or loss to their property. Both the Town of and Borough of Stonington assume no risk on account of fire, theft, Act of God, or damage of any kind to vessels within the area under the jurisdiction of this Ordinance, nor responsibility for personal injury or loss of life within the same area.

## **SECTION 4 SWIMMING AND UNDERWATER SCUBA**

Swimming and recreational scuba diving are prohibited in all Coast Guard designated channels and fairways. Scuba Diving is also prohibited north of a line extending from the west breakwater (green navigational aid #5) to the end of the inner breakwater (red navigational aid #8). However scuba diving for the maintenance of boats on moorings or for harbor maintenance (by permission of the Harbor Master) is permitted. Exceptions may be made by permission of the Harbor Master and with due considerations for safety.

## **SECTION 5 WATER SPORTS**

Recreational towing activities including, but not limited to, water skiing, tubing and wakeboarding are prohibited within Stonington Harbor, and within the waters north of a line running from red and green buoy "SP" thence to buoy "2" thence to the northwest tip of Sandy Point, and thence to Edwards Point. See Figure V.

## **SECTION 6 FIXED FISHING GEAR**

In Accordance with Regulations of Connecticut State Agencies 26-142a-3a, Area-gear restrictions:

(d) No fixed commercial fishing gear shall be set at any time within any navigable channel as indicated by United States Coast Guard channel markers or within any fairway as designated by an approved harbor management plan adopted under Chapter 444a of the General Statutes. No fixed fishing gear shall be set in any mooring area as designated by an approved harbor management plan adopted under Chapter 444a of the General Statutes during the period May 1 through October 15. For the purposes of this section, fairway is defined as a harbor channel which is not marked by United States Coast Guard channel markers but is designated as a navigation channel in an approved harbor management plan; mooring area is defined as an area in which vessels are commonly moored with permanent mooring tackle, and fixed commercial fishing gear means the following: gill nets anchored or tied in a fixed position; trap nets; fyke nets; pound nets; and the buoys of fish pots, eel pots, or lobster pots including those set by holders of the personal use lobster license.

## **SECTION 7 THE USE OF VESSEL AS ABODE**

The use of vessels or floating homes/offices in Stonington jurisdictional waters as permanent or long-term (greater than 10 days) abodes is specifically prohibited. Sleeping aboard vessels is allowed as a secondary use to the vessel's principal commercial or recreational use. Temporary exceptions to this regulation for unusual circumstances may be allowed at the discretion of and by permission of the Harbor Master.

## **SECTION 8 COORDINATION WITH TOWN, BOROUGH, AND STATE AGENCIES**

Pursuant to Sec. 22a-113p of the Connecticut General Statutes, any Town or Borough commission or board that is considering a proposal that affects the real property on, in or contiguous to the waters within the jurisdiction of the SHMC shall notify the Commission in writing within 15 days of receipt of the proposal and at least thirty-five days prior to the taking of final action on the proposal. At the request of this Commission, a copy of the proposal under consideration shall be forwarded to this Commission for review and a recommendation. Overriding of an unfavorable recommendation from the Commission must be by a two-thirds vote. The proposal shall be acted upon by the Commission within thirty-five days after initial receipt of notification of the proposal from any Town or Borough commission or board. Failure of the Commission to submit a recommendation will be deemed to be approval of the proposal.

## **SECTION 9 SANITATION**

The waters within the jurisdiction of the Commission are a No Discharge Zone defined in accordance with Sec 312 of the Federal Clean Water Act by Connecticut General Statute. Included is the discharge of any refuse, waste, debris, petroleum product or by-product, paint, varnish, or treated or untreated sewage.

## **SECTION 10 NOISE ABATEMENT**

No persons shall operate occupy or leave a vessel in such manner as to constitute an audible nuisance This prohibition includes but is not limited to operating a motor boat without an adequate muffler as in Accordance with Regulations of the 2012 Connecticut General Statutes Section 15-129 Connecticut General Statutes Section 15.

## **SECTION 11 SETTLEMENT OF DISPUTES**

Any dispute arising over the use of the jurisdictional waters as defined in this ordinance, with the exception of Annex A and Annex B shall be settled by the Commission in a regular or special meeting. The Complainant shall request in writing such a meeting from the Chairman of the Commission. Citations issued by the Stonington Police Department or other authorized organizations for Annex A and Annex B SNW violations and challenged may be settled through the court system.

# **Article 4: Mooring, Anchoring, and Securing Of Vessels**

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## **SECTION 1 PLACEMENT OF MOORINGS**

Placing any mooring in the waters of the harbor without a permit from the Harbor Master is prohibited. Vessels shall not be moored so that they come closer than fifty feet to the north side of the west breakwater. Unpermitted moorings shall be removed by the Harbor Master within 14 days after written notification to the owner, provided the owner can be identified. Removal of unpermitted moorings shall be at the owner's expense. If the owner is unknown, removed equipment shall be treated as lost property and disposed of by the Harbor Master.

## **SECTION 2 PRIVATE MOORINGS**

Private moorings shall be used by the holders of the permits for those moorings. That is, the moorings shall not be rented or leased (only approved commercial moorings may be rented or leased) nor shall they be left unused for more than sixty consecutive days between July 1 and September 30 without consulting the Harbor Master. The Harbor Master may decline to renew permits for unused moorings.

The registered permit holder for any private mooring must be the majority owner of the vessel registered to the said mooring. In the case of a vessel of joint ownership, a notarized statement of ownership of the vessel shall be required as proof of majority ownership by the mooring holder (forms are available from the Harbor Master.)

Mooring permits will not be issued for a Floating Home/Office as defined in Article 6: Definitions Occasional use of private moorings by guests of the permit holder and mooring vacancies during cruises or boat repairs are allowed. Protracted vacancies caused by delays between selling a permitted boat and acquiring a new boat, or by such circumstances as illness of the permit holder

or temporary absence from the Stonington area may be allowed by the Harbor Master. These situations should be discussed with the Harbor Master as they arise.

At the request of a permit holder who is facing one of the situations described in the previous paragraph, the Harbor Master may issue a temporary permit (not to exceed six months) for use of a vacant mooring. The standard mooring permit application must be submitted to the Harbor Master for review and approval. If approved, the permit shall be marked “TEMPORARY” to indicate that it is not a permanent permit. If the Harbor Master approves temporary use of a private mooring, the holder of the temporary permit must assume all liability in writing. The Harbor Master shall consider the waiting listing List when he/she issues temporary permits.

### **SECTION 3 COMMERCIAL MOORINGS**

Approved commercial moorings may be rented or leased by the authorized lessee. Commercial moorings may not be placed in the harbor without the proper Army Corps of Engineers and Connecticut Department of Energy and Environmental Protection permits and with Harbor Master placement.

### **SECTION 4 SPECIAL PURPOSE MOORINGS**

Special purpose moorings are intended to provide access to the water for the general public via a bona fide boating oriented non-profit organization. Moorings of this type will be approved by the Commission at its discretion for a period of one year.

The “Application for Mooring Permit”, described in Article 4, Sect 5 (below), shall be followed with the following:

- The standard mooring permit application shall be submitted to the Harbor Master who shall forward it to the Commission for review and consideration for approval.
- A detailed description of each element of the selection criteria described below, shall accompany the application.
- The permit shall be issued in the name of the person or designated principal of the entity.
- The Commission shall use the following criteria for initial permit approval as well as subsequent re-evaluations.
  - Mooring availability,
  - Provides access to the water for the general public,
  - Promotes use of the water for recreational, educational or research use,
  - Person/entity is not for-profit organization,
  - Intended/actual use.

Applications shall be submitted and re-evaluated each year. Special Purpose Moorings shall not be used for any purpose other than that specified on the mooring permit application.

## **SECTION 5 APPLICATION FOR MOORING PERMIT**

A. New Applications. Effective on the date this ordinance is adopted, any person who has a Connecticut Safe Boating Certificate at the time of the application may apply for a mooring permit. The waiting list application form (Annex C) should be submitted to the Harbor Master with any processing fee established by the Commission. Application forms are available at the Town Clerk's office, Borough Clerk's office, and from the Harbor Master. Applications shall be placed on the waiting list in the order of receipt by the Harbor Master.

B. Renewal Applications and Fees. The intent of the waiting list renewal process is to ensure the timely assignment of newly available moorings to waiting list applicants. The procedure annually validates applicant interest and ensures current applicant contact data to expedite Harbor Master communication with applicants. A modest annual fee for remaining on the Waiting List is required to offset the associated administration costs.

Waiting list applications are valid for one year and must be renewed annually for the following year. Waiting list renewal applications will be sent to current waiting list in September of each year. The applicant shall return the completed and signed renewal application with the stated fee to the Harbor Master postmarked no later than the date designated on the application. Failure to renew by that date shall result in the applicant's removal from the waiting list.

The applicant will be notified, using registered and regular mail with delivery tracking or certificate of mailing, of removal from the waiting list and may apply for reinstatement to the former position on the list by contacting the Commission by December 31. The new waiting list will be published in January to reflect the changes effected by the renewal process.

C. Mooring Permit Renewal Process. Mooring permits are valid for a period not to exceed one year. All mooring permits expire on December 31st. Applicants must complete the renewal process by March 31st. The Harbor Master, in January of each year, shall send a renewal application to persons who are eligible for mooring permit renewal for the upcoming season.

The renewal applicant shall:

- Review and, if necessary, make changes to the information provided on the application,
- Sign the application,

- Enclose a copy of the applicant's current Connecticut boat registration number or Connecticut certificate of number,
- Include the appropriate application fee,
- Include the majority ownership affidavit if required,
- Return the renewal application and associated documentation to the Harbor Master.

Completed applications must be post marked by March 31st for the upcoming season. Failure to renew shall result in loss of mooring permit. The Harbor Master shall acknowledge receipt of completed paper work electronically or by mail.

**D. Restrictions.**

- There is a restriction of one permit per person including the littoral-type permit (See also Article 4, Section 6E – Shorefront Property Owner Moorings).
- Mooring permits are not transferable.
- Spouses are considered joint permit holders.

**E. Mooring Permit Fee.** The Stonington Harbor Management Commission shall establish a fee schedule for a permit for a mooring location or any other activity within the scope of the Stonington Harbor Management Plan. The fee schedule shall be within the limits set by the CT General Statute 22a-113s, and will be published annually by September 1. If a revised schedule is not set by September 1, the previous fee schedule shall govern until so approved. The schedule will be posted in the office of the Town Clerk for Stonington and for Stonington Borough.

**SECTION 6 ALLOCATION OF MOORING SPACES**

**A. General Assignment Factors.** All mooring locations shall be determined by the Harbor Master, with due consideration to vessel size, draft, water conditions, and other relevant factors, such as coastal resource protection.

**B. Previous Mooring Holders.** Mooring locations shall first be allocated to those owners of registered moorings in the harbor provided they have met all the required provisions of the Stonington Harbor Management Ordinance. The Harbor Master may assign current mooring holders to a new location in order to optimize the use of mooring space within Stonington Harbor.

**C. Relocation Applications.** A permit holder who applies to relocate his mooring shall be given such priority as the Harbor Master may deem appropriate.

**D. Waiting List.** When a mooring space becomes available, it shall be offered to the senior applicant on the mooring waiting list, subject to the constraints contained in these regulations. If

the available mooring space is not suitable to accommodate the senior applicant's vessel or specific needs, it shall be offered to the next senior qualified applicant. The senior applicant shall retain his or her place on the waiting list. The Harbor Master shall continue efforts to provide a suitable mooring space for the senior applicant. If the senior applicant voluntarily passes an offer of a mooring, he will retain his position on the waiting list for one year.

**E. Shorefront Property Owners Moorings.** Shorefront property owners within the jurisdiction are entitled to littoral moorings. The owner of private shorefront property on Stonington Harbor or within the SHMC jurisdiction shall have precedence over the waiting list applicants when applying to the Harbor Master for a mooring permit within Stonington Harbor. A shorefront property owner may hold only one mooring. A littoral mooring permit becomes invalid when the owner sells the shorefront property if the permit was issued after October 9, 2012. The Harbor Master shall reassign the mooring at his discretion. The former property owner may apply to the waiting list for a new mooring.

**F. Commercial Moorings.** Commercial moorings shall be limited to a maximum of 35 percent of the total deep draft moorings in the harbor. This percentage may be modified by the Harbor Management Commission.

## **SECTION 7 MOORING RECORDS**

**A.** The Harbor Master shall keep a detailed record of each mooring, its location, and the owner's name, home address, email address, telephone number(s), date mooring was set, and for private and public access moorings, the name, length, Connecticut registration number or Connecticut certificate of number, mooring inspection report, and type of boat to be attached thereto.

**B.** The Harbor Master shall maintain in a public place a waiting list for moorings which will include the original dates of all permit applications, and a list of assigned moorings with permittee names. Both lists shall be updated semi-annually.

## **SECTION 8 TRANSIENT ANCHORAGE**

**A.** Vessels may remain in the transient anchorage area for a period not to exceed nine (9) consecutive days except in cases of special circumstances and after notification of and approval by the Harbor Master.

**B.** Vessels shall be properly and securely anchored.

**C.** Vessels shall not be left unattended for more than 24 hours. A vessel's operator shall not leave the immediate area without notifying the Harbor Master and providing a ship keeper for the vessel.

**D.** No transient vessel shall anchor inside the Commercial and Private Mooring areas shown on Figure III (a), which are reserved for permitted moorings.

## **SECTION 9 SECURE BERTHING, MOORING, AND ANCHORING OF VESSELS.**

It shall be the responsibility of the owner of the vessel, and where applicable, of marine facility operators, to assure that a vessel is properly secured and to provide for periodic inspection, maintenance, and replacement of such equipment at reasonable intervals as determined by the Harbor Master.

## **SECTION 10 MOORING SPECIFICATIONS**

Minimum specifications for mooring tackle are provided in Annex D.

## **SECTION 11 MOORING INSPECTION**

Inspection of mooring tackle shall be required every three (3) years on a rotating schedule established by the Harbor Master. When issuing mooring permits, the Harbor Master shall notify those mooring permit holders who are required to have mooring inspections performed during that calendar year. The inspection documentation form (available from the Harbor Master) must be completed in full and be signed by an inspection contractor authorized by the Harbor Master (list provided with the inspection documentation form) and returned to the Harbor Master in the calendar year in which it applies. Failure to provide a signed copy of the required mooring inspection documentation shall result in non-renewal of the mooring permit for the following season.

Mooring inspections may be required by the Harbor Master when circumstances arise that lead the Harbor Master to question the safety of the mooring. In such instances, the Harbor Master shall notify those mooring permit holders who are required to have a mooring inspection performed before the mooring is deemed usable.

## **SECTION 12 WINTER MOORING STICKS**

Winter mooring sticks shall be removed by June 30th and replaced with the mooring permit owner's properly marked mooring ball, in accordance with the ground tackle requirements stated herein. Winter mooring sticks remaining past June 30th may be removed (contracted out) by the Harbor Master at the expense of the mooring permit holder. Winter Mooring Sticks shall not be placed in the Harbor before October 1st. Winter sticks (spars) shall be lettered with the mooring number and mooring holder's name, and shall be attached directly to the chain so the upper end is clearly visible above the water at all times.

## **SECTION 13 STORM PRECAUTIONS:**

Owners are expected to add reasonable scope, weights, and extra anchors in anticipation of storm conditions. Prompt return to usual mooring provisions shall be completed within seven (7) days after a storm.

# **Article 5: Review and Modification of The Harbor Management Plan**

## **SECTION 1 REVIEW OF HARBOR MANAGEMENT PLAN**

Section 22a-113m of Connecticut General Statutes provides for an annual review of the Harbor Management Plan by the Harbor Management Commission and by the Commissioners of Energy and Environmental Protection and the Connecticut Port Authority. The Commission shall conduct its review during the boating season, prior to Labor Day. As part of the review, the Commission shall hold a public workshop to receive comments and recommendations concerning all aspects of management of Stonington Harbor and the other waters under its jurisdiction. The review shall include the administration of mooring regulations, mooring permit fees, and the operation of commercial moorings.

## **SECTION 2 MODIFICATION OF HARBOR MANAGEMENT PLAN**

Modifications to the Stonington Harbor Management Plan shall be made in accordance with Connecticut General Statute's 22a-113m – Harbor management plan. A copy of the plan shall be forwarded to the U.S. Army Corps of Engineers for review, comments and recommendations. Such plan shall be submitted for approval to the Commissioners of Energy and Environmental Protection and the Connecticut Port Authority. Said commissioners shall act on the plan not more than sixty (60) days after submission of such plan. Upon approval by said commissioners, the plan may be adopted by ordinance by the legislative body of each municipality establishing the commission (Town of Stonington and the Borough of Stonington).The ordinance shall specify the effective date of the plan. A modification to the plan may be proposed at any time and shall be approved in the same manner as the plan.

## Article 6: Definitions

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Anchoring: to secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.

Berth: space for a single vessel alongside a pier, finger float, or other structure.

Buffer: an open water area between the shore and a designated mooring area.

Channel: a water area officially marked and maintained to permit unobstructed movement of vessels.

Commercial Mooring: a mooring that is rented or leased or available for rental or lease.

Deep Draft: A minimum depth of 4 feet at mean low water.

Distress: a state of disability or of present or obviously imminent peril which, if unduly prolonged, could endanger life or result in serious property damage.

Emergency: a state of imminent or proximate danger to life or property in which time is of the essence.

Fairway: a locally-designated water area reserved for unobstructed movement of vessels.

Floating Home/Office: A floating building or structure constructed on a float, barge or raft, no longer principally intended for or generally capable of safe navigation, as determined by the Harbor Master, but principally used as an abode or place of business.

Harbor Facility: an area or structure providing private or public access to the water.

Harbor Management Act: the legislation contained within the State of Connecticut General Statutes, Sections 22a-113k through 22-113t and as may be amended.

Harbor Management Commission: the local municipal commission established under and carrying out the responsibilities authorized by the Connecticut Harbor Management Act.

Harbor Master: an official appointed by the Governor of the State of Connecticut to administer a harbor, in this case Stonington Harbor, in accordance with the Connecticut General Statutes. The Harbor Master shall enforce the Harbor Management Ordinance.

Littoral Mooring: Littoral refers to the intertidal zone, the area that is above water at low tide and under water at high tide. “Littoral mooring” is one assigned to a landowner whose property abuts the intertidal zone.

Majority Owner: In the case of a vessel owned by multiple persons, one person must be a larger share owner than any of the other owners.

May: “may” is permissive. See “Shall”.

Moor: to secure a vessel to a mooring.

Mooring: a device or system incorporating mooring tackle intended for long term use by which vessels are secured to the bottom of a water body.

Mooring Buoy: a floating device designed to mark a mooring.

Mooring Tackle: the hardware and cordage used to secure a moored vessel.

Open Water: a water area designated in the Water Use Plan where moorings and structures are restricted in order to preserve the area for navigation, natural resource, or public recreational purposes.

Private Mooring: any mooring that is not a commercial mooring.

Public Access: an area where the public has free access from the land to either a view of the water or the water itself.

Public Area: all areas of the harbor except those areas under specific government lease to private parties or owned privately.

Shore: the part of the land in immediate contact with a body of water, including the area between high and low water lines.

Shall: “shall” is mandatory. See “May”.

Special Purpose Mooring: Special purpose moorings are designated moorings that provide access to the water for the general public via a bona fide boating oriented non-profit organization.

State: the State of Connecticut.

Structure: a dock, pier, piling, breakwater, groin, seawall, and combinations thereof.

Transient Anchorage: an area designated for the exclusive short-term use of commercial and recreational vessels.

Underway: the condition of a vessel that is not anchored, moored, made fast to the shore, nor aground.

Vessel: every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transport through the water, as defined in CGS Section 15-127.

Wharfing Out: The erection of a wharf upon land by the landowner whose property abuts the littoral/intertidal area.

## **Annex A: Slow-No-Wake Ordinance IN STONINGTON HARBOR**

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### **ORDINANCE OF THE TOWN OF STONINGTON, CONNECTICUT, PROVIDING FOR A SLOW-NO-WAKE (SNW) ZONE IN STONINGTON HARBOR.**

**WHEREAS**, the body of water commonly known as Stonington Harbor is located within the territorial limits of the Town of Stonington (hereinafter “Town”); and

**WHEREAS**, the Connecticut General Statutes section 15-136 provides that the Town, by ordinance, may make local regulations respecting the operation of vessels on any body of water within the Town’s territorial limits; and

**WHEREAS**, the Town desires to protect the health, safety and welfare of its boating citizens and guests by regulating the operation and speed of vessels within Stonington Harbor.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:**

**Section 1.** The ordinances of the Town of Stonington be amended by adding a section to read as follows:

(A) No motorboat, including by statutory definition sailing vessels with auxiliary motors, shall be operated in excess of Slow-No-Wake within that area of Stonington Harbor that is bounded to the north by the railroad causeway; bounded east and west by land; and bounded south by a line beginning at fixed red navigation aid #8, thence running in a southwesterly direction to green navigation buoy #7, thence running south to fixed green navigation aid #5, thence running along the breakwater in a westerly direction, thence running west from the westernmost point of the breakwater to the southernmost point of Wamphassuc Point. For the purposes of this section, the definition of motorboat shall be as defined in CGS Section 15-127. The definition of Slow-No-Wake shall be as defined in RCSA Sec. 15-121-A1.

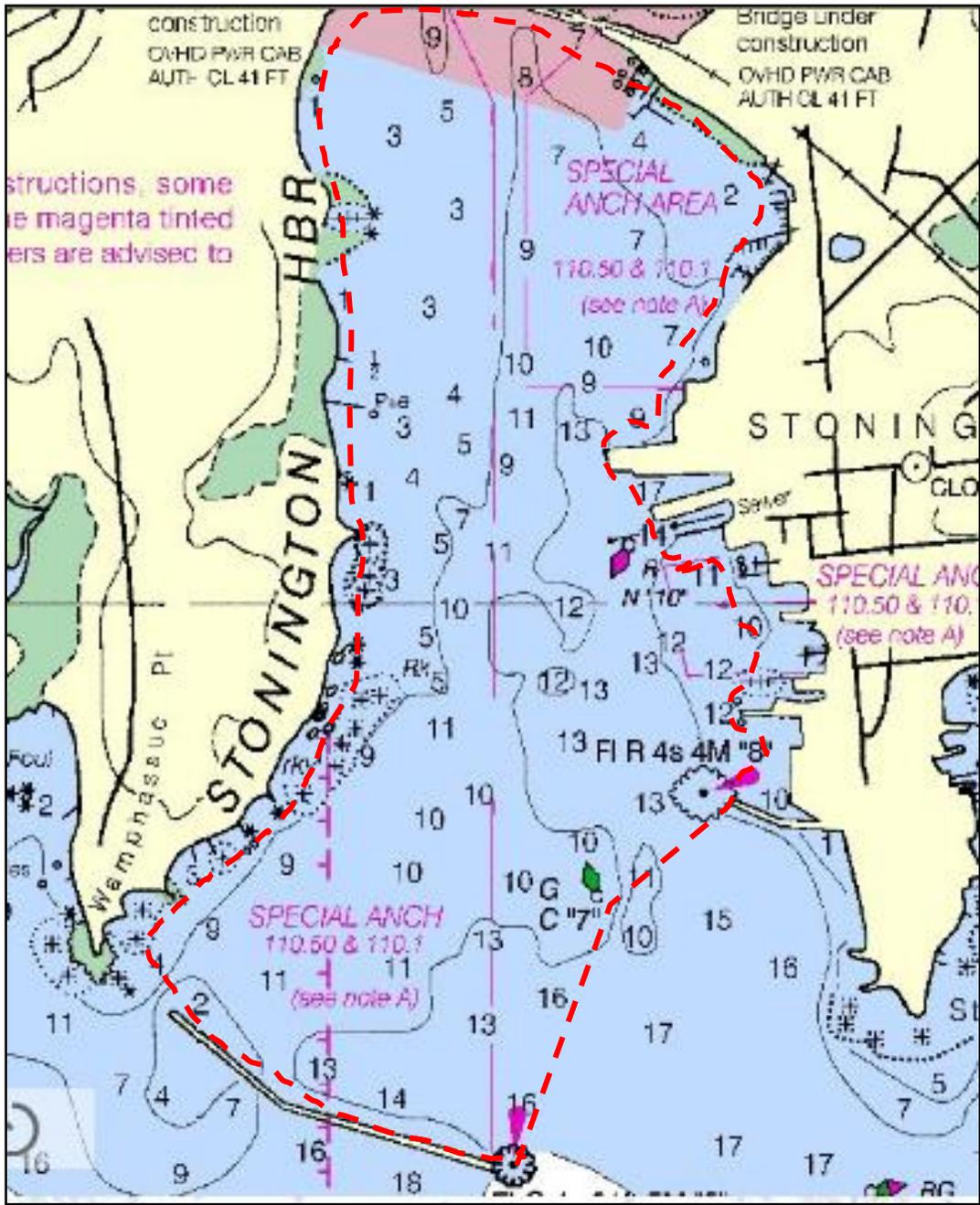
(B) No person shall operate a vessel in excess of Slow-No-Wake within the Slow-No-Wake zone described in subsection (A) of this ordinance, except for the purpose of aiding a mariner in distress. In no case shall the wake produced by a vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind.

**Section 2.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3.** If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions of applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This Ordinance shall become effective following: (1) approval by Town Meeting; (2) fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington; and

(3) sixty (60) days after submission of this Ordinance to the Commissioner of the Department of Environmental Protection, provided the Commissioner does not disapprove of said Ordinance within said sixty (60) days.



**Figure II - Slow-No-Wake Zone in Stonington Harbor**

Adopted – March 21, 2011

Effective – April 9, 2011

## **Annex B: Slow-No-Wake Ordinance at Sandy Point**

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### **ORDINANCE OF THE TOWN OF STONINGTON, CONNECTICUT, PROVIDING FOR A SLOW-NO-WAKE ZONE AT SANDY POINT.**

**WHEREAS**, the body of water between Stonington Point and the Pawcatuck River which encompasses a portion of the island commonly known as Sandy Point is located within the territorial limits of the Town of Stonington (hereinafter “Town”); and

**WHEREAS**, the Connecticut General Statutes section 15-136 provides that the Town, by ordinance, may make local regulations respecting the operation of vessels on any body of water within the Town’s territorial limits; and

**WHEREAS**, the Town desires to protect the health, safety and welfare of its boating citizens and guests by regulating the operation and speed of vessels transiting to and from the Pawcatuck River Area.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:**

**Section 1.** The ordinances of the Town of Stonington to be amended by adding a section to read as follows:

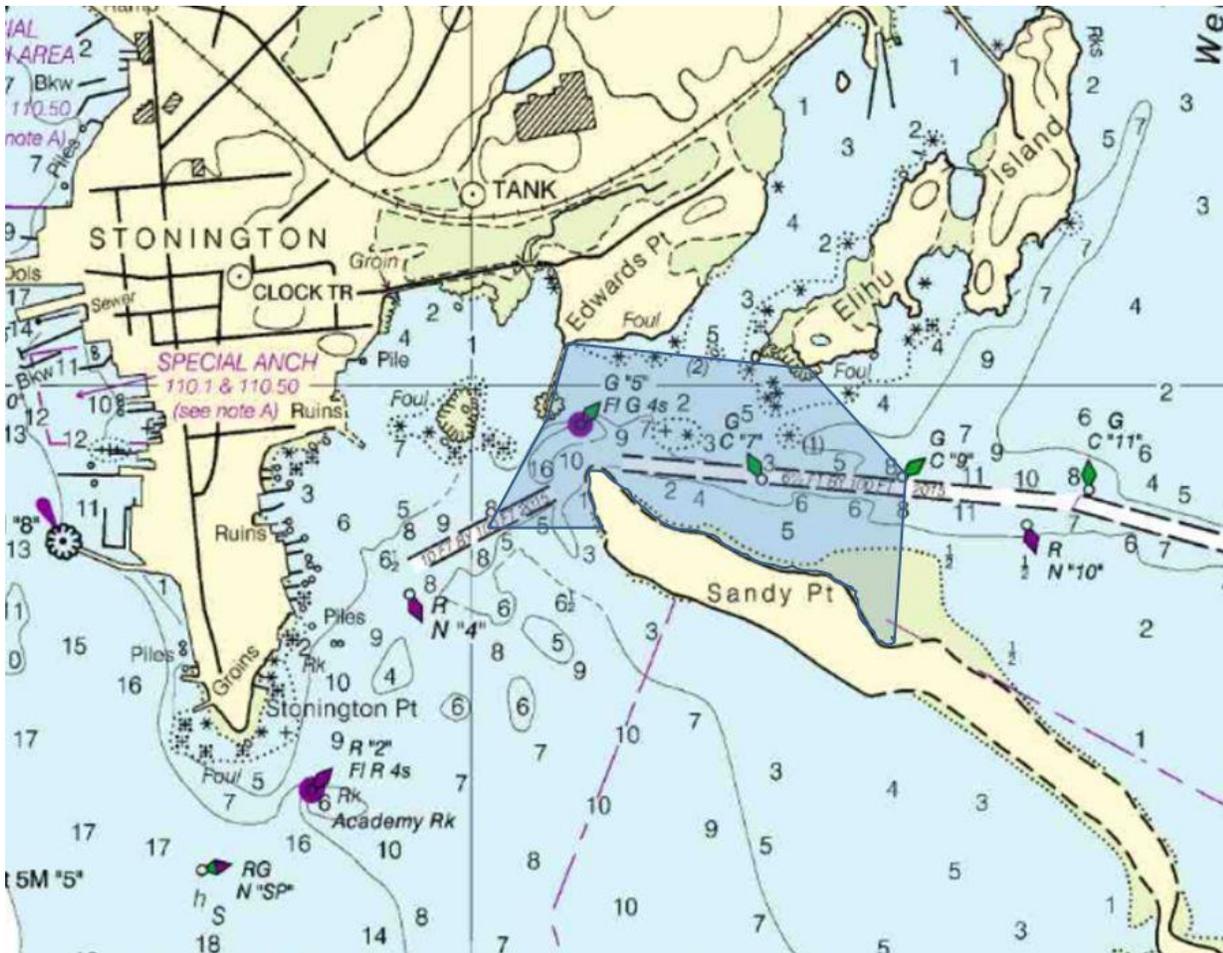
(A) No motorboat, including by statutory definition sailing vessels with auxiliary motors, shall be operated in excess of Slow-No-Wake around the northern end of Sandy Point, in the area described as follows: From Sandy Point due south of Green 'C-9' to Green 'C-9' thence NW to the southern tip of Elihu Island thence generally west to the southern tip of Edwards Point then along the rock groin on the southern tip of Edwards Point to a point half way between Red 'N-4' and Green 'C-5' (N 41° 19' 52.0" , W 071° 53' 58.0") thence east to Sandy Point. For the purposes of this section, the definition of motorboat shall be as defined in CGS Section 15-127. The definition of Slow-No-Wake shall be as defined in RCSA Sec. 15-121-A1.

(B) No person shall operate a vessel in excess of Slow-No-Wake within the Slow-No-Wake zone described in subsection (A) of this ordinance, except for the purpose of aiding a mariner in distress. In no case shall the wake produced by a vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind whether in the channel, beached, or anchored nearby.

**Section 2.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3.** If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions of applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This ordinance shall become effective following: (1) approval by Town Meeting; (2) fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington; and (3) sixty (60) days after submission of this ordinance to the Commissioner of the Department of Energy and Environmental Protection, provided the Commissioner does not disapprove of said ordinance within said sixty (60) days.



**Figure III - Slow-No-Wake Zone at Sandy Point**

Adopted –

Effective –



## **Annex D: Mooring Tackle Specifications**

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The following mooring tackle specifications are minimum recommendations to be followed when placing a mooring in Stonington Harbor or its' adjacent jurisdiction. It should be understood that no minimum standard would assure absolute protection for all vessels at all locations under all conditions. The Stonington Harbor Management Commission recognizes that particular conditions may necessitate a stricter requirement or allow a relaxation of these standards on a case by case basis.

Alternative mooring tackle allowed includes pyramid anchors and helical screw in anchors. Note that bottom type varies and includes sand, mud and rocks. It is suggested you work out a mooring plan with your mooring provider for your location and ask for Harbor Master review.

The mooring permittee may request, or the Harbor Master may require, deviation from these minimum standards on consideration of the following factors: location of the mooring, including factors such as wind and wave exposure, water depth, proximity to shore, structures or other moorings; type of vessel to be moored including factors such as bulk, windage, and draft; and type of mooring tackle, including adequate substitution of mooring type and chain weight.

No standards can assure adequate protection from severe coastal storms with associated winds and waters. However, the following specifications are offered as a compilation of research based on marine engineering studies, neighboring harbor commissions and marina usage in Southern New England.

<b>Vessel Length</b>	<b>Mushroom Weight</b>		<b>Bottom Chain</b>		<b>Top Chain</b>		<b>Pennant</b>
	<b>(Sail) Lbs</b>	<b>(Power) Lbs</b>	<b>Length</b>	<b>Diameter</b>	<b>Length</b>	<b>Diameter</b>	
<b>15'</b>	<b>200</b>	<b>200</b>	<b>15'</b>	<b>3/4"</b>	<b>20'</b>	<b>3/8"</b>	<b>5/8"</b>
<b>20'</b>	<b>300</b>	<b>300</b>	<b>15'</b>	<b>3/4"</b>	<b>20'</b>	<b>1/2"</b>	<b>5/8"</b>
<b>25'</b>	<b>400</b>	<b>500</b>	<b>15'</b>	<b>3/4"</b>	<b>20'</b>	<b>1/2"</b>	<b>5/8"</b>
<b>30'</b>	<b>500</b>	<b>600</b>	<b>15'</b>	<b>3/4"</b>	<b>30'</b>	<b>1/2"</b>	<b>3/4"</b>
<b>35'</b>	<b>600</b>	<b>800</b>	<b>20'</b>	<b>1"</b>	<b>30'</b>	<b>1/2"</b>	<b>3/4"</b>
<b>40'</b>	<b>800</b>	<b>1000</b>	<b>20'</b>	<b>1 1/8"</b>	<b>40'</b>	<b>3/4"</b>	<b>7/8"</b>
<b>45'</b>	<b>1000</b>	<b>1500</b>	<b>20'</b>	<b>1 1/8"</b>	<b>40'</b>	<b>3/4"</b>	<b>1"</b>

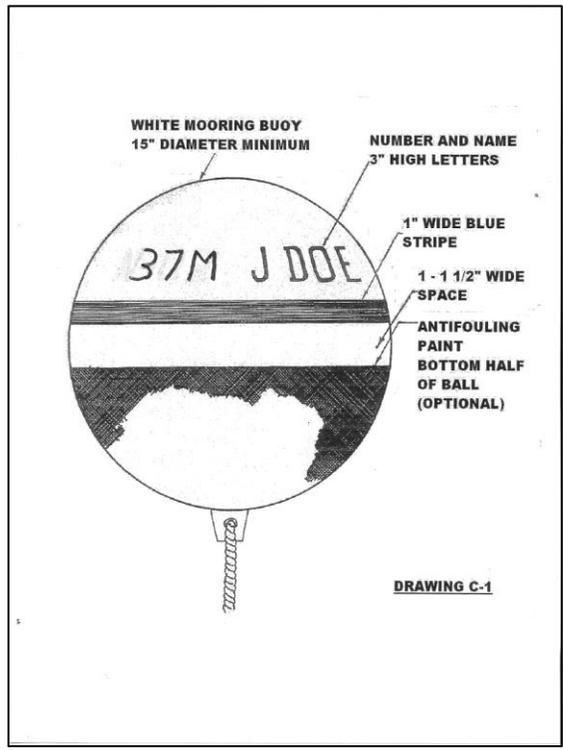
**Table I – Mooring Tackle Specifications**

Notes:

(1) Lengths are maximums for each set of tackle specifications. For vessels greater than 45', boat owners shall get approval of Harbor Master for proposed tackle.

(2) Top chain lengths are maximums for boats moored. Total length of top chain shall be at least 2 1/2 times the depth of water at high tide, up to the maximums shown above.

(3) Mooring buoys shall be a minimum of 15 inches in diameter, white with a clearly visible blue band midway between the top of the buoy and the waterline. Mooring buoys shall be lettered with the mooring designation number, as assigned by the Harbor Master, and mooring holder's surname. See Figure VII.



**Figure III – Mooring Buoy Lettering**

(4) Anchor weights and tackle sizes (diameters) are minimums. They may exceed the above figures, but the total scope of chain may not be exceeded without approval of the Harbor Master. Bottom chain length shall be not less than the water depth, for ease of shackle inspection.

Additional Requirements  
(Refer to Figure VIII below.)

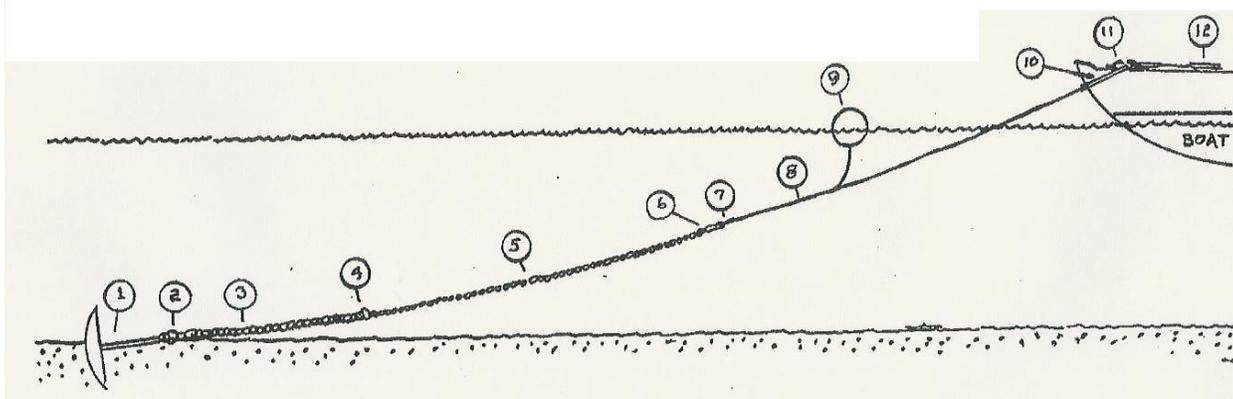
1. All shackles shall be seized. Seizing material shall not promote electrolysis.
2. Chafing gear shall be used.
3. Adequate and properly secured chocks are required.
4. Two pennants are preferred and shall be shackled to the chain. Wire shall not be used for pennants. Pennant length should be 2 1/2 times the vertical distance from the bow chock to the water, plus the distance from the bow chock to the mooring cleat or post.

5. Only systems designed for the anchoring of vessels may be used for moorings.
6. Mid-chain weights or anchors shall not be used as regular tackle, but are encouraged during storm conditions. They shall be removed promptly afterward so as to ensure proper swing.
7. The proposed ground tackle as a whole must be acceptable to the Harbor Master.

No representation of adequacy is made by this section or by the Harbor Master's acceptance of proposed tackle.

**LEGEND**

1. MUSHROOM ANCHOR
2. SHACKLE OR SHACKLES
3. BOTTOM CHAIN
4. SHACKLE
5. TOP CHAIN
6. SWIVEL
7. SHACKLE WITH THIMBLE EYESPLICED IN PENDANT
8. PENDANT (DOUBLE PENDANT PREFERRED)
9. MOORING BUOY
10. CHAFING GEAR
11. CHOCK
12. EYESPLICE IN PENDANTS OVER CLEATS



**TYPICAL MOORING** SCHEMATIC ONLY. NOT TO SCALE.

**Figure VI – Typical Mooring Showing Ground Tackle**

